

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GERALD E. FLETCHER,

Petitioner,

Case No. 1:13-CV-838

v.

HON. GORDON J. QUIST

WILLIE SMITH,

Respondent.

ORDER ADOPTING
REPORT AND RECOMMENDATION

The Court has reviewed the magistrate judge's October 22, 2013 Report and Recommendation recommending that Petitioner's habeas corpus petition be dismissed as barred by the one-year statute of limitations. The Report and Recommendation was duly served on Petitioner on October 23, 2013. No objections have been filed pursuant to 28 U.S.C. § 636(b). Therefore the Court will adopt the Report and Recommendation.

THEREFORE, IT IS HEREBY ORDERED that the October 23, 2013 Report and Recommendation (docket no. 5) is approved and adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that Petitioner's habeas corpus petition is **DENIED** because it is barred by the one-year statute of limitations.

This case is **concluded**.

Dated: November 19, 2013

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE